

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHEASTERN DIVISION

United States of America,)
)
)
Plaintiff,) Case No. 2:07-cr-35-03
)
)
-vs-) **ORDER ADOPTING REPORT AND
RECOMMENDATION**
)
)
Martin Whitetail, Jr.,)
)
)
Defendant.)

The undersigned judge referred to the magistrate judge for preparation of a Report and Recommendation disposition regarding the petition for revocation of supervised release. The Court has received a Report and Recommendation from the Honorable Alice R. Senechal, United States Magistrate Judge, pursuant to 28 U.S.C. § 636, recommending that Whitetail's supervised release be revoked, and that he be ordered to serve eight months in custody (Doc. #181). Neither party objects to the recommended disposition (Docs. #182, 184).

The Court has reviewed the Report and Recommendation, along with the entire file, and finds the Magistrate Judge's analysis and recommendations are appropriate. Accordingly, the Court hereby adopts the Report and Recommendation in its entirety. For the reasons set forth therein, the Court finds that Whitetail violated conditions of supervised release. Consequently, Whitetail's supervised release is revoked and he is **ORDERED** to serve a term of imprisonment of eight (8) months with no additional term of supervised release. The Court recommends that Whitetail be allowed to serve his time at the Lake Region Law Enforcement Center.

IT IS SO ORDERED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated this 30th day of August, 2011.

/s/ Ralph R. Erickson
Ralph R. Erickson, Chief Judge
United States District Court